

6. There are no standards for determining how to apply the results of a study that might be completed in accordance with new Section 16-276(e)(3)c., allowing for the selection of a lighting standard.
7. It is unclear why the County should mandate that a developer engaged to install a new lighting system must also complete the study of local conditions. (new Section 16-276(e)(3)d.).
8. The proposed ordinance does not appear to meet the needs of the applicant, as I understand them (reduce light pollution and trespass). It appears that the lighting standard currently approved by the County Engineer, RP-08, will apply in the burned area under the provisions of this proposed ordinance. (new Section 16-276(e)(2)). RP-33 directs designers to use RP-08. My understanding is the applicant is trying to avoid using RP-08 as the standard for the redesign of the streetlight system in the burned area. The applicant seems to suggest that the RP-08 standard is the highest possible lighting standard, which is not correct, other standards that can be used prescribe higher light levels.
9. The applicant proposes that Council protect property values at the potential risk to public safety. This suggestion may present a legal issue. (new Section 16-276(e)(3)f.).
10. The applicant proposes that the Council substitute its judgment for the judgment of its professional employees with respect to a public safety issue and asks the Council to presuppose the outcome of a referendum. This may put Council in an untenable position. (new Section 16-276(e)(3)f.).
11. The applicant asks Council to impose on County requirements relating to relocating, removing or adding streetlights. There is no description of what might constitute a "demonstrated public safety hazard."
12. The applicant asks Council to simply establish, referencing only the neighborhood consensus, that the lighting standard in the burned area will be lighted intersections with isolated lighting between intersections.
13. Section 4 lists out the requirements of the areas affected by the Cerro Grande Fire as RLDC-4. Residents should understand that standards for the lighting of only intersections and isolated areas have higher light levels than continuous lighting. This will increase the lighting levels at the existing locations while preserving the existing dark areas for a few residents.
14. The proposed ordinance would have to be carefully reviewed and all terms appropriately used.

Department Conditions: (attach additional pages if necessary)

As Planning and Zoning Commission is considering this amendment to the Development Code all of the above listed comments and questions need to be addressed.